

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 85-104

WASTE DISCHARGE REQUIREMENTS

TECHNICAL COATINGS AND
BENJAMIN MOORE AND COMPANY
SANTA CLARA
SANTA CLARA COUNTY

The California Regional Water Quality Control Board, San Francisco Bay Region, (hereinafter called the Board) finds that:

1. Technical Coatings Company, a subsidiary of Benjamin Moore and Company (hereinafter called the dischargers), owns a 5.1 acre site in Santa Clara, located at 1000 Walsh Avenue. (See Site Map, Attachment A). Since the 1950's the discharger has manufactured paints, using solvents in the process, at this facility.
2. The dischargers have submitted technical reports dated March 4, 1983, July 13, 1984, March 5, 1985 and May 29, 1985. These reports include ground water investigation data and a plan of correction.
3. The site investigations found soil and ground water contaminated with volatile organics including toluene, xylene, ethyl benzene, benzene, naphthalene, chloroform, cresol, methyl cyclohexane and methyl isobutyl ketone. The areas of known groundwater pollution pose a threat to the beneficial uses of waters of the State.
4. The dischargers reported that the 14 underground storage tanks believed to be the source of pollution were discontinued as storage units and emptied following detection of ground water contamination, in 1983.
5. The plan of correction proposed by the dischargers dated May 29, 1985 consists of underground tank removal, an interim ground water extraction system, and monthly sampling of monitoring and extraction wells. Extracted groundwater will be discharged to the sanitary sewer system or to the storm drain system pending additional study. Additionally, wells will be installed off site to further determine the extent

of pollution. The dischargers will monitor the wells so as to determine the zone of influence of the proposed interim extraction system. The Board finds the proposed plan of corrections acceptable for the areas of pollution thus far defined.

6. The extent of off-site ground water pollution has not been defined. The undefined pollution presents an additional threat to beneficial uses. Thus, further studies and monitoring are necessary to define the extent of pollution, threat to beneficial uses, and to provide a containment strategy to address the entire plume, once defined.
7. The Board adopted a revised Water Quality Control Plan (Basin Plan) for the San Francisco Bay Region on July 21, 1982. The Basin Plan contains water quality objectives for San Francisco Bay. The Basin Plan also contains water quality objectives for groundwater.
8. The beneficial uses of San Francisco Bay include:
 - a. Recreation
 - b. Fish migration and habitat
 - c. Habitat and resting for waterfowl and migratory birds
 - d. Industrial water supply
 - e. Esthetic enjoyment
9. The existing and potential beneficial uses of the groundwater underlying the facility include:
 - a. Industrial process water supply
 - b. Industrial service supply
 - c. Domestic supply
 - d. Agricultural supply
10. The Board has notified the dischargers and interested agencies and persons of its intent to prescribe waste discharge requirements for the discharge and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.
11. This project constitutes a minor modification to land and such activity is thereby exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15304, of the Resources Agency Guidelines.

12. The Board, in a public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED, that Technical Coatings and Benjamin Moore and Company, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, shall comply with the following:

A. Prohibitions

1. The discharge of wastes or hazardous materials in a manner which will degrade water quality or adversely affect the beneficial uses of the groundwaters of the State is prohibited.
2. The discharge of wastes or hazardous materials through subsurface transport to surface waters in quantities or concentrations which will degrade water quality or adversely affect the beneficial uses is prohibited.
3. Activities associated with the subsurface investigation and cleanup which will cause further migration of the pollution is prohibited.
4. Bypassing wastewater from the wastewater treatment system to waters of the State is prohibited. If bypassing should occur, the discharger shall notify this Board's Executive Officer as soon as possible.

B. Specifications

1. The treatment or disposal of waste shall not create a nuisance as defined in Section 13050(m) of the California Water Code.
2. Groundwater extracted for treatment shall receive the treatment specified in an NPDES permit prior to discharge to waters of the State through the storm sewer system.
3. The vertical and lateral extent of pollution shall be defined at all times. Should monitoring results show evidence of plume migration,, additional plume characterization shall be required.
4. The hydrogeologic conditions in all polluted aquifers and related areas shall be defined.

5. Additional migration of groundwater pollutants from the collective plant sites and related off-site areas of the plume(s) shall be prevented.

C. Provisions

1. The dischargers shall report to the Board by November 1, 1985 on the proposed method of treatment and discharge of extracted groundwater from the interim cleanup program identified in Finding 5. The discharger shall file an NPDES Permit application if a discharge is proposed to waters of the State.
2. The dischargers shall report to the Board quarterly, commencing on December 1, 1985, on the effectiveness of the interim groundwater cleanup program. These reports shall include pollution concentration contour maps.
3. In order to comply with Specification B.3., the dischargers shall meet the following compliance time schedule:

<u>TASK</u>	<u>COMPLIANCE DATE</u>
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|---|-----------------|
| a. Define the lateral and vertical extent of pollution onsite and off-site in the upper water bearing zones (i.e., 0-40 feet as currently defined) by | January 1, 1986 |
| b. Determine if pollution exists below the upper water bearing zones (i.e., 0-40 feet as currently defined) by | January 1, 1986 |
| c. If polluted below the 40 foot depth, define the lateral and vertical extent of pollution onsite and off-site for the entire plume by | July 1, 1986 |
4. Documentation of compliance with Specification B.4. shall be provided to the Board through quarterly reports, commencing on January 1, 1986. These reports shall include the following, updated quarterly:

- a. Piezometric surface maps for all water bearing zones.
 - b. Cross-sectional geologic maps.
 - c. Geologic logs of new soil borings.
5. In order to comply with Specification B.5, the dischargers shall submit a report to the Board by July 1, 1986 which contains a proposal for full containment of the entire groundwater plume. This report shall be based upon the results of the studies necessary to comply with Provisions C.2, C.3 and C.4.
 6. The discharger shall submit to the Board technical reports on self-monitoring work performed according to a program approved by the Board's Executive Officer.
 7. All samples shall be analyzed by laboratories using approved EPA methods for the type of analysis being performed. All laboratories shall maintain quality assurance/quality control records for Board review.
 8. The discharger shall permit the Board or its authorized representative, in accordance with Section 13267(c) of the California Water Code:
 - a. Entry upon premises in which any pollution sources exist, or may potentially exist, or in which any required records are kept.
 - b. Access to copy any records required to be kept under terms and conditions of this Order.
 - c. Inspection of any monitoring equipment or methods required by this Order.
 - d. Sampling of any groundwater or soil which is accessible, or may become accessible as part of any investigation or remedial action program, to the discharger.
 9. The discharger shall file a report on any material changes in the nature, quantity, or transport of polluted groundwater associated with the pollution described in this Order.

10. The discharger shall maintain in good working order and operate, as efficiently as possible, any facility or control system installed to achieve compliance with the requirements of this Order.
11. The Board will review this Order periodically and may revise the requirements when necessary.

I, Roger B. James, Executive Officer, do hereby certify the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on September 18, 1985.

Richard H. Whitel
ROGER B. JAMES *So*
Executive Officer

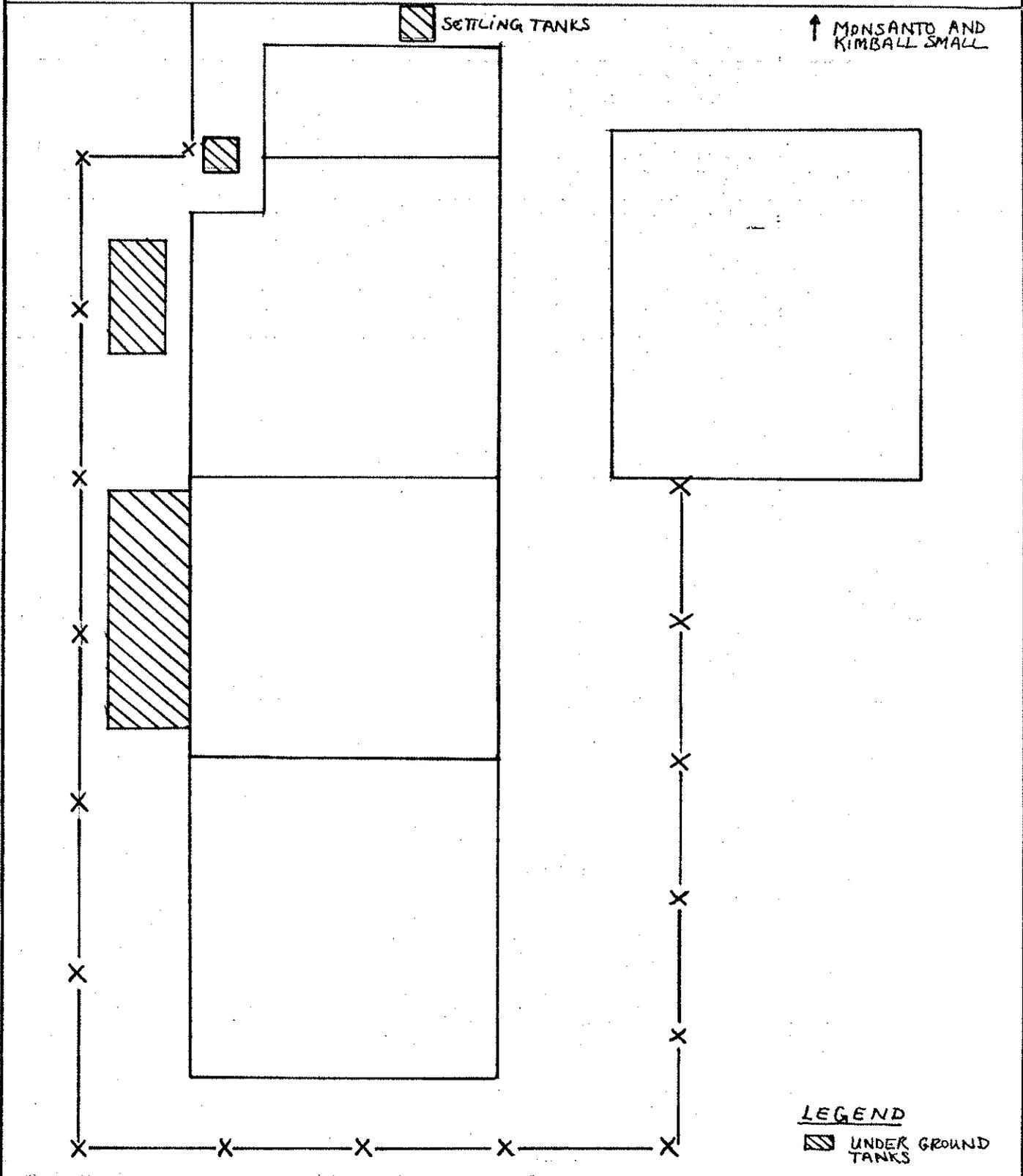
Attachment:

- A. Site Map

WALSH AVENUE

SETTLING TANKS

↑ MONSANTO AND KIMBALL SMALL



LEGEND
UNDER GROUND TANKS

PACIFIC NURSERY POTS



NOT TO SCALE

STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

SITE MAP
ATTACHMENT A
TECHNICAL COATINGS AND
BENJAMIN MOORE COMPANY
SANTA CLARA

DRAWN BY: RMB | DATE: 6-24-85 | DRWG. NO.